

BOARD OF SUPERVISORS

Brown County



305 E. WALNUT STREET
P. O. BOX 23600
GREEN BAY, WISCONSIN 54305-3600

E-Mail BrownCountyCountyBoard@co.brown.wi.us

PHONE (920) 448-4015 FAX (920) 448-6221

"PUBLIC NOTICE OF MEETING"

**Pursuant to Section 19.84 Wis. Stat., notice is hereby
given to the public that the following meetings will be
held**

THE WEEK OF JANUARY 18-22, 2010.

MONDAY, JANUARY 18, 2010

* 1:30 p.m.	Solid Waste Board	Material Recycling Facility 2561 S. Broadway
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TUESDAY, JANUARY 19, 2010 (No Meetings)

WEDNESDAY, JANUARY 20, 2010

* 7:00 p.m.	Board of Supervisors	Legislative Room 203 100 N. Jefferson Street
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THURSDAY, JANUARY 21, 2010

* 9:00 a.m.	Traffic Safety Commission	Highway Department 2198 Glendale Avenue
* 6:00 p.m.	Library Board	Central Library Downtown 515 Pine Street

FRIDAY, JANUARY 22, 2010 (No Meetings)

***Agendas Enclosed**

Any person wishing to attend who, because of a disability, requires special accommodation, should contact the Brown County Human Resources Office at 448-4065 by 4:30 p.m. on the day before the meeting so that arrangements can be made.

PORT AND SOLID WASTE DEPARTMENT

Brown County

2561 SOUTH BROADWAY
GREEN BAY, WI 54304

PHONE: (920) 492-4950

FAX: (920) 492-4957

CHARLES J. LARSCHEID

PORT AND SOLID WASTE DIRECTOR

- PUBLIC NOTICE -

BROWN COUNTY SOLID WASTE BOARD

MONDAY - JANUARY 18, 2010

1:30 p.m. at the Materials Recycling Facility
2561 S. Broadway, Green Bay, WI 54304

Agenda:

1. Call to Order
2. Roll Call
3. Approval/Modification – Meeting Agenda
4. Approval/Modification – Meeting Minutes November 16, 2009
5. MRF Repair Bid #1393 Results Tabulation – *Request for Approval*
6. Brown County Electronics Collection
7. Oneida Seven Generation Corps Waste Gasification Initiative Negotiation
& Approval Strategy – *Request for Approval*
8. Gas-to-Energy Facility – *Update*
9. Director's Report
10. Such Other Matters as Authorized by Law
11. Adjourn

Charles J. Larscheid
Port & Solid Waste Director

Any person wishing to attend whom, because of disability requires special accommodation should contact the Brown County Port & Solid Waste Department at 492-4961, two (2) working days before the meeting, so that arrangements can be made.

Notice is hereby given that action by the Brown County Solid Waste Board may be taken on any of the items which are described or listed in this agenda.

BOARD OF SUPERVISORS

Brown County



305 E. WALNUT STREET

P. O. BOX 23600

GREEN BAY, WISCONSIN 54305-3600

PHONE (920) 448-4013 FAX (920) 448-6221

E-mail bc_county_board@co.brown.wi.us

GUY ZIMA, CHAIR

MARY SCRAY, VICE CHAIR

PUBLIC NOTICE OF MEETING

Pursuant to Section 19.85 and 59.094, Wis. Stats., notice is hereby given to the public that the regular meeting of the **BROWN COUNTY BOARD OF SUPERVISORS** will be held on **Wednesday, January 20, 2010 @ 7:00 p.m.**, in Legislative Room 203, 100 N. Jefferson Street, Green Bay, Wisconsin.

The following matters will be considered:

Call to order.

Invocation.

Pledge of Allegiance to the Flag.

Opening Roll Call.

**** PRESENTATION ****

Judy Krawczyk – NEW Zoo / N.E.W. Zoological Society

1. **Adoption of Agenda.**
2. **Comments from the Public regarding agenda items only.**
3. **Approval of minutes of December 16, 2009.**
4. **Announcements of Supervisors.**
5. **Communications: (None)**
 - a) **Late Communications:**
6. **Appointments by County Executive:**
 - a) (None)
7. **Reports by:**
 - a) County Executive.
 - b) Board Chairman.
8. **Other Reports:**
 - #8a Treasurer's Financial Report for month of September, 2009.
 - #8b Treasurer's Financial Report for month of October, 2009.
9. **Standing Committee Reports:**
 - a) Report of Administration Committee of December 22, 2009.
 - b) Report of Education & Recreation Committee of January 7, 2010.
 - c) Report of Executive Committee of January 11, 2010.
 - d) Report of Human Services Committee of December 16, 2009.

- e) Report of Planning, Development & Transportation Cmte of December 28, 2009.
 - i) Report of Land Conservation Sub Committee of December 28, 2009.
 - f) Report of Public Safety Committee of January 6, 2010.
10. **Resolutions, Ordinances:**
- Executive and Public Safety Committee**
- j) Ordinance to Create Sec. 30.08 of the Brown County Code Entitled "Pawn Brokers and Secondhand Article and Jewelry Dealers."
- Public Safety Committee**
- k) Resolution re: 2010 County-Tribal Law Enforcement Grant. *Resolution approved at December Public Safety.*
11. **Such other matters as authorized by law.**
12. **Bills over \$5,000 for period ending December 31, 2010.**
13. **Closing Roll Call.**
14. **Adjournment to Wednesday, February 17, 2010 at 7:00 p.m., Legislative Room #203, City Hall, 100 North Jefferson Street, Green Bay, Wisconsin.**

Submitted by:

Guy Zima

Board Chairman

Notice is hereby given that action by the County Board of Supervisors may be taken on any of the items which are described or listed in this agenda.

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SHERIFF'S DEPARTMENT

Brown County

300 EAST WALNUT

P.O. BOX 22003

GREEN BAY, WISCONSIN 54305-4206

PHONE (920) 448-4200 FAX (920) 448-4206



DENNIS KOCKEN
SHERIFF

PUBLIC NOTICE OF MEETING

Pursuant to Section 19.84 of the Wisconsin Statutes, notice is hereby given to the public that a regular meeting of the Brown County Traffic Safety Commission will be held on **Thursday, January 21st, 2010 at 9:00 a.m.** at the **Brown County Highway Department, 2198 Glendale Ave., Green Bay.**

Agencies reporting traffic fatalities for the fourth quarter of 2009 **please forward** incident information in advance to Randy Schultz at: Schultz_rs@co.brown.wi.us. Thank you.

A G E N D A

1. Call to Order
2. Approve Minutes
3. Police Escorts, SS#346.215
4. STH 172 Construction 2010
5. US41 Construction Update
6. BOTS Update
7. 2010 Projects
8. 4th Quarter Serious & Fatal Crash Review
9. 2009 Overall Fatal Crash Review
10. Citizen Appearances
11. Other Business as Allowed by Law

Randy Schultz

Chair

Brown County Traffic Safety Commission

LIBRARY

515 PINE STREET
GREEN BAY, WISCONSIN 54301-5194

PHONE (920) 448-4400
FAX (920) 448-4364

LYNN M. STAINBROOK
DIRECTOR

E-MAIL Stainbrook_LM@co.brown.wi.us
WEBSITE www.browncountylibrary.org

BROWN COUNTY LIBRARY BOARD

Central Library

515 Pine Street, Downtown Green Bay

Thursday, January 21, 2010

6:00 p.m.

AGENDA

1. Approve/modify agenda
2. Minutes, bills and communications
3. Open forum for the public
4. Nominating committee report /Annual election of officers
 - a. President
 - b. Vice President
 - c. Secretary
 - d. Financial Secretary
5. Facilities Report
 - a. Boldt Engineering Report on the Ashwaubenon, Kress Family, Southwest and Weyers-Hilliard Branch Libraries
 - b. Solar Energy Project at Kress
 - c. Energy Conservation Methods update
 - d. East Branch lease committee update
 - e. Progress on RFP for architectural services – appoint board member to serve on selection committee
6. Accountant's report
 - a. Financial report
 - b. Acceptance of gifts, grants and donations
 - c. Carryover funds
 - d. Furlough impact discussion
7. Nicolet Federated Library System
 - a. Monthly update
8. Information Services report on services received
9. President's report
10. Director's report
 - a. Recognition of past board members
11. Such other matters as are authorized by law
12. Adjournment

Notice is hereby given that action by the committee may be taken on any of the items which are described or listed in this agenda.

Terry J. Watermolen

Terry Watermolen
President





January 2010

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
					Happy New Year!  1	2
3	4	5	Public Safety 5pm	Ed & Rec 5:30pm		9
10	Executive Cmte 6:00 pm	Vets' Recognition 5:15pm				16
17	18	19	Board of Supervisors 7:00 p.m.			23
24	Land Con 6pm Plan Dev & Trans 6:30 pm	Criminal Justice Coord Bd 3:30pm / Facility Master Plan 5:15pm	Human Svc Cmte 6pm	Admin 5:30 pm		30
31						

FEBRUARY 2010



SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2	Public Safety 5pm	Ed & Rec 5:30pm		6
7	Executive Cmte 6:00 pm	Vets' Recognition 5:15pm				13
 Valentine's Day	15	16	EMS 1:30pm Board of Supervisors 7:00 p.m.	Facility Master Plan 5:15 pm.		20
21	Land Con 6pm Plan Dev & Trans 6:30 pm	Criminal Justice Coord Bd 3:30pm	Human Svc Cmte 6pm	Admin 5:30 pm		27
28						

BROWN COUNTY COMMITTEE MINUTES

- **Board of Health (July 22, 2008)**
- **Board of Health (September 16, 2008)**
- **Board of Health (November 17, 2008)**
- **Board of Health (March 10, 2009)**
- **Board of Health (June 9, 2009)**
- **Board of Health (August 12, 2009)**
- **Children with Disabilities Education Board (December 15, 2009)**
- **Housing Authority (December 21, 2009)**

To obtain a copy of Committee minutes:

http://www.co.brown.wi.us/minutes_and_agendas/

OR

Contact the Brown County Board Office or the County Clerk's Department

PROCEEDINGS OF THE BOARD OF HEALTH MEETING
Tuesday, July 22, 2008
5:30 PM

Present: Audrey Murphy, Harold Pfothhauer, Mary Scray, J. Tibbetts, M.D., Joe Van Deurzen

Excused: Don Murray

Staff Present: Judy Friederichs, Ricki Krautkramer, John Paul

Guests Present: Ray Kopish (Green Bay Chamber of Commerce)

1. CALL TO ORDER / INTRODUCTIONS / BOARD STATUS UPDATE

Judy reported that the County Executive is working with her to try to recruit a representative from the Hmong community to fill the Board vacancy. The person they have in mind works at NWTC. Judy has contacted this person – he is going to get back to her after consulting with members of some other boards that he serves on.

2. APPROVAL / MODIFICATION OF AGENDA

Motion: To Approve the agenda as presented. Van Deurzen / Pfothhauer

MOTION CARRIED

3. APPROVAL OF MINUTES OF MARCH 11, 2008

Motion: To receive and place on file. Van Deurzen / Pfothhauer

MOTION CARRIED

4. BUDGET 2009

Judy stated that the budget packet that was sent to board members includes only information regarding the levy portion of the budget. The levy target for the department was increased by approximately 2.3%.

Information Services chargebacks were calculated differently this year – charges were distributed among several different line items. Also, Information Services has started a new replacement program which will require us to pay 1/5 of our total equipment cost each year to cover the cost of regular replacement of all I.S. equipment. This equipment is almost completely funded by grant dollars.

Facilities Management chargebacks took a big jump this year – so Judy contacted the director of the department. He is doing some research with the management company that actually does the costing of these chargebacks. Audrey commented that this is the first year that the board has seen a breakdown of indirect costs. She is concerned about the size of the Facilities charge.

Joe commented that the increase in the budget is more than 2% when the levy increase allowed is only 2%. Judy stated that the salary increase alone was about 4% - so it gets tighter every year to meet the budget. In 2009, for example, all conference and training funds as well as security in the form of armored car and panic alarm service have been cut. In addition, an increase in Public Health Revenue helped to offset the increase in costs – this is mostly the result of a 9% increase in licensing fees as well as the use of fund balance from grant carryover.

Judy stated that her biggest concern with the budget is that it will be difficult to keep staff abreast of current information in their field after cutting out conference allowances and supportive materials (books, videos, etc.).

John stated he is looking at a change in the pre-inspection fee schedule. The new structure would have fees assessed for each license rather than for each establishment. For example, a hotel with a restaurant and a pool would pay separate fees for the hotel, the restaurant and the pool. This makes the fee structure fairer for small establishments with one license vs. large establishments with several licenses. These fees will be included in the fee schedule submitted with the budget packet. Joe commented that pre-inspections can potentially save the establishment owner a lot of money if the inspector finds something important that needs to be fixed before the establishment opens.

Judy stated that the budget is due at the end of the week.

Audrey asked if Judy is comfortable eliminating the funding for security monitoring. Judy stated that the system has never been used in an emergency, but was installed based on the recommendation of the Safety Committee and the Sheriff's department. Audrey also asked whether deposits could be transported by someone else such as the Treasurer. Judy stated that other departments pay for armored car service through the Treasurer's office. Mary asked whether a Sheriff's deputy could make the deliveries. Judy stated that the department was not able to get a deputy to accompany a nurse on a dangerous home visit – so it would be next to impossible to get them to make deposits for us.

Mary asked what was included in "Equipment Non-Outlay". Judy stated that this mostly included the equipment amortization plan for Information Services.

Mary asked Judy if she has anything in mind to cut from the budget if she is asked to. Judy said that it would be very difficult since most of the items that had been on a "cut list" in the past have already been cut.

The budget meeting with the County Executive is scheduled for August 13th.

MOTION: To approve the proposed 2009 budget as presented.
Van Deurzen / Tibbetts

MOTION CARRIED

5. UPDATE: TEENAGE PREGNANCY (Ricki Krautkramer)

Ricki said that the 2007 statistics are not yet available. There was some excellent media coverage following the last Board of Health meeting. Ricki received a lot of response related to that media coverage.

A provider summit was held at UWGB in partnership with United Way – 170 people registered for this event. Attendance included a cross-section of educators, faith-based representatives, parents, etc.

Several new members have been added to the prevention committee as a result of media coverage.

Audrey asked what the makeup of the committee is. Ricki stated that there are representatives from the YWCA, St. Mary's A Woman's Place, Think Marriage, Wise Woman Gathering Place – but no educators. She would like to do some outreach to get educators on the committee.

Ricki distributed some statistics from the United Way regarding the impact on the community of teen pregnancy.

Joe suggested that Ricki write an article for the Press Gazette when the 2007 statistics become available.

Audrey said that she attended the summit at UWGB. She said that she was encouraged by Harry Sidney's speech about accountability and responsibility. Audrey also shared an article from the Milwaukee Journal regarding teen pregnancy. She stated that she would like to attend one of the prevention committee meetings. Ricki stated that the meetings are on the 4th Tuesday of the month at 3:00. The next 2 meetings will be held at the Health Department office.

6. STATUS: ODOR COMPLAINTS (John Paul)
SUMMER MONITORING OF OWBF

John said that there have been no complaints so far this season regarding Allen Canning. However, there have been 31 complaints with one citation so far for Packerland Packing – this is the first violation for Packerland this year. John and Joe Nowak have met with representatives from Allen who seem to be going forward with the change to how they hold and dispose of their waste water.

Audrey asked for an update on the Allen Canning citation that was supposed to go to court in December. John stated that it will be going to trial on July 31st.

John stated that the department doesn't receive many calls regarding outdoor wood-burning stoves. He did respond with Rob Gollman to a complaint in Dykesville recently – the issue there may be solved with an extension to the stack on the stove in question.

Dr. Tibbetts brought in an article from the April Press Gazette. He said that there are 6 states that have at least 10,000 units in place – Wisconsin has 27,000. There are no federal or state regulations regarding use of these furnaces. The industry is trying to deal with concerns to some extent – but the manufacturers aren't even complying with those requirements. He feels that the state and federal governments should pass legislation to regulate these units.

John stated that no birds have tested positive for West Nile Virus in our area as of today. There have been positive animals in Eau Claire and Douglas Counties but no human cases in the state.

7. DIRECTOR'S REPORT

There have been four cases of E. Coli reported in our area that were linked to each other but not to the national cases that have been in the news recently.

There have also been some cases of salmonella that are linked but not connected to the tomatoes or jalapenos in the national cases. Three of the local cases are also linked to another one in a county in Michigan. A restaurant may be linked to all of the cases. The infected individuals did not want to share information that would have been helpful in pinpointing the source of these infections.

There have been a few cases of Measles – mostly in the southern part of the state.

Judy said that there is currently a shortage of rabies vaccine due to a temporary shutdown of one of the manufacturers. The sole manufacturer at this point is asking that providers submit a request for vaccine only after a patient is exposed. Judy is in contact with the state and with CDC to work out a better way to have vaccine on-hand before it is needed.

The Division of Health is working to develop local teams to measure radiation within a 50 mile radius of nuclear power plants. This would also include transportation of radioactive materials, etc. They have approached the department to include sanitarians on the local team. One sanitarian has expressed interest as has the local preparedness coordinator. They will be expected to attend a one-time, 2-week training course with annual regional updates and exercises thereafter. Judy has agreed to commit to the program for a period of three years and will decide whether to continue after that point.

Judy said that the state has wanted to reduce the number of preparedness consortia across the state. At this time there are 11 consortia – the state would like to reduce that to 5 or 6. The biggest reason is the reduction in funding from CDC. The deadline for making these reductions is the end of 2009. A decision as to who will be the fiscal agent in our region must be made by the end of March. The regional public health officers meet every other month and have been holding strategic planning sessions to determine how the regional consortium might be structured, what existing staff can be maintained, etc. The current vacancies in the BCOLM consortium will not be filled at this time.

Judy has participated in local planning meetings with healthcare partners regarding a number of preparedness plan topics as well as the antiviral distribution plan that was recently released by the state. In addition, the Northeast region held a meeting in June, also focusing on the antiviral distribution plan. In a pandemic, the state would be a distributing point for antiviral medication for 20% of the population – which would be people who met the appropriate criteria for being ill. The state is looking for clinics who might be able and willing to distribute antiviral medication according to their guidelines and have facilities to receive these patients without exposing anyone else. There was interest from some nursing homes in the region.

Health department staff were involved with the boil water notice in Bellevue. While we do not do water testing for Bellevue, we have about 40 licensed establishments that staff worked with to help them run their facilities without access to municipal water.

Health department staff participated in Farm Technology Days – although it was only open about half of the time before it was evacuated due to the heavy rain. Public Health Nurses gave 300 doses of tetanus vaccines during the time they were there. There was also a very large booth area

with general public health and preparedness information. Local Emergency Planning, Tobacco and Wisconsin Well Woman programs also had displays in the booth.

8. OTHER BUSINESS AUTHORIZED BY LAW

Dr. Tibbetts received an update from Senator Dave Hansen regarding the tobacco legislation. The letter indicated that there has been no progress on the issue at this point.

9. ADJOURNMENT / NEXT MEETING

The next meeting was scheduled for September 9th at 5:30 PM.

Motion: To Adjourn at 7:05 PM. Scray / Pfothhauer

MOTION CARRIED

PROCEEDINGS OF THE BOARD OF HEALTH MEETING
Tuesday, September 16, 2008
5:30 PM

Present: Audrey Murphy, Harold Pfothhauer, J. Tibbetts, M.D., Joe Van Deurzen

Excused: Mary Scray

Absent: Don Murray

Staff Present: Judy Friederichs, John Paul

1. CALL TO ORDER / INTRODUCTIONS / BOARD STATUS UPDATE

Judy stated that she had sent a follow-up message to the gentleman at the Hmong Community Center regarding the recruitment of a member from their community. He told Judy that he would talk with the director of the center to try to find someone who might be interested.

Audrey said that it is necessary to try to find representation from the diverse cultures in our community not only in an effort to represent the community but also to satisfy the requirements of the state's health department audit. She further stated that it is important to get this position filled since two board members' terms expire at the end of the year.

2. APPROVAL / MODIFICATION OF AGENDA

Motion: To Approve the agenda as presented. VanDeurzen / Tibbetts

MOTION CARRIED

3. APPROVAL OF MINUTES OF JULY 22, 2008

Motion: To receive and place on file. VanDeurzen / Pfothhauer

MOTION CARRIED

4. STATUS: ODOR COMPLAINTS

John Paul distributed an article that appeared in the Press Gazette regarding Smithfield's (formerly Packerland Packing) plan to raise exhaust stacks to reduce odor.

So far this year, there have been 83 complaints regarding odor at Smithfield – 32 of those complaints were not verifiable for a variety of reasons.

There have been only two days of complaints regarding Allen Canning with a total of four complaints. Two of those complaints were related to odor that originated in Oconto County from land-application of waste water from Allen. Corporate Counsel's office expressed concern about the health department pursuing complaints about odor that does not originate in our county.

Dr. Tibbetts stated that he disagrees with Corporation Counsel's assessment that this would not be under Brown County's jurisdiction – the odor originates from Allen Canning's byproduct, therefore they should be responsible for it. Judy said that she believes the ordinance states that within a certain distance from the county's boundary we may still have jurisdiction. However, in other areas of public health follow-up (food-borne illness, animal bites, etc.), the agency with primary responsibility is the one whose jurisdiction is the source of the problem.

John said that there were a couple of odor complaints regarding Whitfield Auto and Beck Cabinets. The sanitarian is working with the owners of these businesses to explore ways to contain the odor from the products that they use.

Audrey asked for an update on the citation that Allen Canning was contesting at trial. John said that he checked with the circuit court and found that the case was "dismissed on defendant's motion..." Judy said that she wonders if they were able to demonstrate that they have changed their practices and have reduced the odor that they are producing. Joe agreed that this is probably the case.

Dr. Tibbetts asked how many citations have been issued in relation to the complaints regarding Smithfield this year. John said that the requirements of the ordinance (verified complaints from 3 different addresses within 8 hours) were only met once. That one citation was issued in June and has been paid.

John said that staff responded to a complaint last spring regarding noise / vibration at a house on the east side. John and the sanitarian (Rob Gollman) tested the noise level at St. Bernard's church and found that all noise was at an acceptable level. Supervisor Andy Nichol森 made a request that noise levels at Schreiber as well as from the roof of the church be measured. Judy, John and Corporation Counsel decided that the code does not allow this type of inspection.

5. BUDGET 2009

Judy said that the County Executive's budget proposal came out last Friday. The proposal is similar to the one submitted by the department with some minor changes to Information Services chargebacks and fringe benefits.

Joe asked if there were any changes from the information given to the board at the last meeting. Judy said that there were not.

Audrey asked if Judy had heard anything back from Facilities Management regarding the large increase in that chargeback for 2009. Judy said that Bill Dowell did get back to her and said that it had something to do with charges that were mistakenly omitted from the chargebacks to the health department the previous year – this increase made up for that error. The mistake was made by the company that assesses what portion of Facilities' budget should be charged to each department.

The Human Services Committee will have their budget hearing in October; the County Board budget meeting will be on the second Monday in November.

6. DIRECTOR'S REPORT

Judy reported that UW Health is using the RV parked outside of the Health Department building to complete health surveys of people in our community. This is being repeated in a number of areas around the state and they will be returning later in the year to survey additional subjects. The survey includes an interview, physical measurements and an environmental assessment. Judy said that the surveyors like to locate their RV near a health department to lend credibility to the study.

Judy presented the communicable disease report from Chua Xiong. There have been no major outbreaks since the last meeting. There have been a few reports of Lyme disease; a couple cases of E. Coli (possibly associated with people not washing their hands after touching animals); one case of bacterial meningitis with E. Coli being the bacteria, possibly acquired prenatally.

There is still a shortage of rabies vaccine. This is the result of remodeling of a manufacturing facility at Sanofi-Pasteur. Since the rabies season is almost over, demand for this vaccine should be reduced until next summer. Judy feels that people who are truly at risk are receiving the vaccine they need. Hospitals have been trading vaccine back and forth as needed. Where there is the ability to test the animal that has bitten

someone, the person will be required to wait until test results come back before starting the vaccine series. Judy stated that the department has sent 22 specimens to the State Lab of Hygiene for testing – some of which could not be tested – with only one bat testing positive. Judy said that, with the shortage, the state is not allowing people in high-risk occupations (such as animal handlers) to get pre-exposure vaccines.

The state statutes require that public health agencies periodically assess the health status of their community and establish priorities for responding to community needs. The state has interpreted “periodically” to be every 4-6 years. The last assessment done by Brown County was in 1996 with the 3 priorities being adolescent pregnancy, cardiovascular health and tobacco control. In 2002, an update on this assessment was accepted by the state. It is now time to do a new assessment. Judy has talked to other health departments throughout the state who had contracted with St. Norbert Survey Center to use parts of the survey done at the state and federal level to do local assessments. In this way, results can be compared against the rest of the state and the nation. A steering committee of partners would determine which topics to survey and interpret the results. United Way has agreed to work with our department as well as the De Pere and Oneida health departments in addition to medical partners in the community. Funding for the project will be shared among all of the participants. Judy felt that Public Health Preparedness funds would be appropriate to use for our portion of this project.

Judy asked whether one of the board members would be interested in participating on the steering committee for this assessment. She also asked Dr. Tibbetts if he would be willing to participate as our medical advisor. Dr. Tibbetts said that he would be willing.

Judy reported for Ricki Krautkramer that immunizations for school children have increased greatly this year due to new vaccine requirements. In August, 2007, 439 clients were given 1,000 doses of vaccine – in contrast, in August, 2008, 756 clients have been given 1,639 doses of vaccine. Dr. Tibbetts wondered what percentage of families take a waiver for religious or personal conviction reasons. Audrey said that she had read an article about how these children who are not vaccinated may expose other children to vaccine-preventable diseases. Judy stated that the schools keep track of the children who are not vaccinated for these reasons and excludes those children from school in the event of an outbreak. She will ask Ricki to report on the number of children who are not vaccinated due to these waivers.

7. ANY OTHER BUSINESS AUTHORIZED BY LAW

None.

8. ADJOURNMENT / NEXT MEETING

The next meeting is tentatively scheduled for November 17th at 5:30 PM in the Nursing Division area of the Health Department office.

MOTION: To Adjourn at 6:45 PM. VanDeurzen / Pfotenhauer

MOTION CARRIED

PROCEEDINGS OF THE BOARD OF HEALTH MEETING
Monday, November 17, 2008
5:30 PM

Present: Audrey Murphy, Harold Pfothenhauer, J. Tibbetts, M.D., Joe Van Deurzen, Don Murray, Vue Lor-Yang

Absent: Mary Scray

Staff Present: Judy Friederichs, John Paul, Ricki Krautkramer

Guests Present: Fred Moore (County Board Attorney), Larry Collins (JBS – Packerland), Mark Reimer (JBS – Packerland), Curt Grimm (JBS – Packerland), Steve Van Lannen (American Foods Group), Brett Losey (Sanimax), Tom Collins (Sanimax)

1. CALL TO ORDER / INTRODUCTIONS / BOARD STATUS UPDATE

Audrey welcomed and introduced the County Board Attorney, Fred Moore; and Vue Lor-Yang, a new Board of Health member. Vue Lor-Yang said she has been an Information and Assistance Specialist at the Aging and Disability Resource Center for 2 ½ years. She has a bachelor's degree in Social Work, and a graduate degree in Counseling.

2. APPROVAL / MODIFICATION OF AGENDA

Audrey said the agenda for the meeting is a revision of the agenda for the meeting originally scheduled for November 14, 2008.

Motion: To approve the agenda as presented. Van Deurzen / Tibbetts

MOTION CARRIED

3. APPROVAL OF MINUTES OF SEPTEMBER 16, 2008

MOTION: to receive and place on file. Van Deurzen / Pfothenhauer

MOTION CARRIED

4. UPDATE: TEEN PREGNANCY (Ricki Krautkramer)

Ricki distributed and discussed the 2007 teen birth statistics for Brown County and the plans being implemented which are intended to help solve the problem.

There were 304 births to teen mothers in 2007, compared to 276 in 2006. The teen birthrate for 15 – 19 year olds increased from 33% in 2006 to 35.9% in 2007. A Teen Pregnancy Rate Chart comparing the rates of births per thousand in Brown County shows that the high rate was 40.0 in 2000, it decreased in 2005 and 2006 to 33, and then increased in 2007 to almost 36. The percentage of births in teens 17 and younger was 30% and in 18 and 19 year olds was 70%. Another chart showed the number of births per county from 1997 through 2007.

A community event sponsored by a grassroots coalition, the Salvation Army, and Celebration Church was held for parents and teens October 6th at Celebration Church. Over 1,000 people attended the event, and feedback was positive. A video of the presentation is available to the public.

The Adolescent Pregnancy Prevention Committee is looking for \$5,000 to hire someone to research the problem and find an effective evidence-based program. A committee member met with representatives from the United Way, but they are only funding new programs related to transportation and shelter in 2009. Audrey and Ricki talked about other community organizations to invite to the meetings. Audrey said that the Board would be advocates for this issue and want to be updated.

5. INFORMATION: School Immunization Law Waivers (Ricki Krautkramer)

Ricki distributed and discussed handouts from the 2007/2008 Checkpoint Report because the current school year's report isn't complete. We received 91 school reports reporting on over 38,000 students. Parents of 77 students claimed their children couldn't get shots because of a health waiver. A physician must sign the form, and it means the child can't get the shots because of a health reason. Parents of 37 students claimed a religious waiver which means parents checked the religion box and signed the form. Parents of 630 children claimed a personal conviction waiver. Parents check the box and sign the form. Wisconsin is criticized for including this waiver. It is a compromise for parents who don't want their children immunized and to get the legislation passed. Parents who know their children were immunized, but don't have a record use this waiver too. If parents do not turn in their child's record after being repeatedly asked for it, sometimes the schools encourage parents to sign this waiver. Parents of 118 students didn't turn in their children's immunization

records. About 500 students were considered behind schedule. This means they didn't get the shots before the report was sent.

Schools are required to send the report to the health department by the 40th school day; the health department's report is due to the state by November 15th. Seven schools haven't sent their report yet. If there is a disease outbreak, children who didn't receive the vaccine can be excluded.

6a. REQUEST FOR CLOSED SESSION UNDER WI STATUTE 19.85 (1) (e) AND (i) RE TO CHAPTER 38 (4) BROWN COUNTY CODE OF ORDINANCES

Audrey asked if the request for the closed session was still in place. If it isn't, the number six agenda item will be handled as departing from the regular order of business and hearing from people who wish to speak.

Mark Reimer, the general counsel of JBS Packerland, said he requested the closed session because he thought the amount of the third citation fine was set by the Board of Health. He said if the Board of Health wanted to discuss the amount of the fine with representatives from JBS Packerland, they were willing to discuss it in closed session. If the Board decides the fine according to the range the Board decided previously, going into closed session wasn't necessary. County Board attorney Fred Moore said if Packerland is requesting a closed session, the Board will pass on whether or not they want to go into closed session.

Joe asked if a third citation was issued, and Judy said the citation hasn't been issued yet. Audrey asked John to talk about the citation because she thought it was issued. John said the citation wasn't issued because the ordinance states that when the third citation is within 365 days of the first citation, the penalty is decided by the Board of Health. Judy said even though the Board of Health decided on a range of fines for the third citation, some county board members said if a third citation is being considered, they want the business invited to the Board of Health meeting to determine the third penalty. Audrey quoted the ordinance and agreed with John. The motion passed at the April 06 Board of Health meeting says that the penalty for the third citation begins at \$1,250, and the highest is \$2,000. Audrey said that will be the range of the citation; so 6a can be deleted from the agenda.

Audrey asked John to explain the history of the citations. John stated that the first citation was written approximately June 20th, and the fine of \$700 was paid. Later in the summer, another citation was issued; and it will be presented to the court on December 4th. On October 30th the third citation was issued. Audrey asked John how much he thought the penalty should

be, and he said past practice was to write it for the highest amount and let the courts decide how to handle it. Audrey agreed.

Joe asked John if improvements at Packerland have started. He said a Packerland representative gave a presentation about the project at the Human Services Committee Meeting and said work will begin in early spring.

Attorney Moore asked John if Packerland's ownership changed during the period of time from the first to the third citation. John said that he thought ownership changed after the second citation. Attorney Moore told the Board that if there has been a change of ownership, the violation couldn't be counted as the third violation because there was a new owner.

Audrey said if Packerland wanted to discuss number six on the agenda, they could depart from the regular order of business.

6. HEARING: CHAPTER 38 (4), BROWN COUNTY CODE OF ORDINANCES

MOTION: To suspend the rules to hear public input.

Van Deurzen / Pfotenhauer

MOTION CARRIED

Curtis Grimm, the General Manager of JBS Packerland, formerly known as Smithfield Beef Group: Mr. Grimm said that Smithfield Group Inc. is a separate legal entity that owns Smithfield Beef Group, Green Bay; it is the legal entity that owns and runs the Green Bay facility. The ownership of Smithfield Beef Group changed, but not the ownership of Smithfield Beef Group, Green Bay. If the citations were issued at the plant level, there is no change of ownership. If the citations were issued to the corporate parent level, there would have been a change of ownership on October 23rd. John didn't know how the first two citations were written.

Larry Collins, Environmental Manager at JBS Packerland, 1330 Lime Kiln Road, Green Bay: Mr. Collins said that a decision had been made to change the two main exhaust points in the rendering facility. The height of the main exhaust stack will be increased; and the biofilter exhaust that helps with high intensity vapors will be routed into the main exhaust stack. They will retrofit their ozone treatment system which will help treat the exhaust more aggressively before it leaves the stack. They have the permit, started designing the stack, and the project will go out for bids next week. They plan to be done before summer and will continually evaluate new technologies.

Audrey asked about the permit and if they've ever met with their neighbors about the odor. Mr. Collins said that they have a conditional use permit from the Zoning Committee. They invited their neighbors to a cookout and showed them their products and processing systems. It will be a yearly or biyearly event because they got favorable feedback. He has attended the Starlight Neighborhood Association meetings and was asked to be a board member.

Joe asked why there was excessive odor on the days the citations were issued. Mr. Collins said that all of the air treatment systems were functioning normally when the (alleged) third violation was noted, but an air hatch was found open. That might have caused the untreated odors to escape. The wind may also have been a factor. Mr. Grimm said that the first violation was issued when a company mixed the wrong chemical and it caused the chemical lines to get plugged. The alarms went off, but it was too late. The alarm system was automated after that incident.

Joe asked if they could determine if the violation was number one or number three. Attorney Moore said we couldn't because it depends how the first and second violations were worded. He recommended deciding the penalty, setting a court date for six months from now, and dropping the citation if the improvements are satisfactory.

Don asked what would happen if there were violations in the next six months. John stated that it would depend on whether it is the first, second or third violation. There are usually fewer complaints in the winter. There were more complaints this year than previous years. Attorney Moore said there could be a contingency saying "if there were no violations in the six month period" and suggested adding "substantial completion of the project."

MOTION: To return to regular business. Van Deurzen / Tibbetts

MOTION: The citation should be issued for the maximum amount of \$2,000, that the court date should be six months from the date of issue, and if there are no violations and there is substantial completion of the construction project to eliminate these problems, the citation will be dismissed and be considered null and void. Van Deurzen / Tibbetts

MOTION CARRIED: FIVE YEAS; ONE NAY

7. REQUEST FROM SUPERVISOR ANDY NICHOLSON FOR HEALTH DEPARTMENT AND COUNTY BOARD ATTORNEY TO REVIEW CHAPTER 38 (4), BROWN COUNTY CODE OF ORDINANCES, FOR POTENTIAL REVISIONS

Judy said there was a request to review the odor ordinance from Supervisor Nicholson to the County Board, which was referred to the October 22nd Human Services Committee.

Supervisor Nicholson made the following proposals:

1. A fee is charged each time a complaint is made regarding odor from an industrial or commercial source; and to make it part of the county ordinance.
2. As part of the ordinance, charge a service call fee when a response from a county employee is required to address the complaint. He made the comment that if sanitarians are being sent out over and over to the same establishment it gets expensive.
3. In the code of ordinances, it states that the Brown County Health Department shall issue a citation when the health department receives and verifies three complaints from individuals representing separate properties within Brown County within an eight hour period related to a single odor description. He would like this changed to state two verifiable complaints instead of three.

The Human Services Committee referred the communication to the Board for its review, comments, and recommendations. The communication was also sent to the county board attorney.

A work committee was formed of Board members, Attorney Moore, Supervisor Nicholson, and health department staff to review the suggestions. The meeting has been scheduled for November 24th; Dr. Tibbetts and Audrey will attend.

Audrey said Chapter 38 was revised in 2005 after nine months of work with the Board and Corporation Counsel, and they thought it was a good ordinance. People from the DNR said it was the best odor ordinance they have ever seen.

8. UPDATE: 2009 BUDGET

Judy said that funding for security and conferences was deleted to meet the budget target. The Human Services Committee reinstated the \$1,000

for security and the County Board approved it. Judy was told that work on a better county security plan is scheduled in 2009.

The County Board kept the hearing and vision programs in the budget, but wants other funding sources to be explored for 2010 and beyond. Pat Evans said he will be meeting with the school superintendent and will talk about the screening programs. The Board of Health was concerned when the programs were dropped a few years ago. Judy stated that funding and volunteer sources were explored then. The programs screen 16,800 students a year, and follow-up is done. The program's 2009 cost is approximately \$129,000. This will be discussed further at the January meeting.

9. DIRECTOR'S REPORT

There was a Foodborne outbreak at a wedding of 260 – 280 people. Most of the attendees lived outside of Brown County. Stool cultures were sent to the state, but nothing was identified; so they were sent to CDC. The sanitarian who inspected the facility didn't find any violations, and none of the employees were ill.

There were one case of Hepatitis A and a couple of Pertussis cases reported.

There have been four new cases of tuberculosis reported. Three are extra-pulmonary, so they aren't as contagious. The case in the lungs is growing slowly and not very infectious. Three cases are confirmed, the fourth is being treated as a case. Over 100 people are on preventive medication.

Health department staff worked with other counties on a cryptosporidiosis outbreak, the source wasn't found. There were two cases in Brown County.

There were three positive Rabies cases in animals reported this year, and a lot of bat exposures to humans. A shortage of rabies vaccine created a challenge for the department and health care providers in providing health care to exposed individuals.

The department is the Fiscal Agent for a consortium of 13 agencies in the preparedness program. The state wants three consortia to merge into one. This has been happening across the state. Judy stated that consortium members have been discussing issues and sending out surveys. The state is pleased with the process in Northeastern WI.

In 2010, the tobacco program must establish a multi-jurisdictional plan of service as with the preparedness program.

The community engagement forum discussion related to the Healthy WI 2020 State Public Health Plan will be deferred.

The department is the Fiscal Agent for a model that is similar to a self-survey during 2009. This process may be used in the accreditation of public health agencies.

The Brown County Health Department, Oneida Community Health Center and the De Pere Health Department have been meeting with local law enforcement and legal agencies about quarantine issues. A meeting will be scheduled in December with all of the law enforcement agencies invited to discuss preparedness, quarantine, and other issues.

10. ANY OTHER BUSINESS AUTHORIZED BY LAW

Dr. Tibbetts requested a review of people whose terms will expire. Joe's and Dr. Tibbetts' terms will expire December 31st. Judy will call the County Executive's office and ask that their re-appointments be on the County Board Meeting agenda.

11. ADJOURNMENT / NEXT MEETING

The next meeting is tentatively scheduled for January 13th in the health department large conference room.

MOTION: To Adjourn at 7:28 PM. VanDeurzen / Pfothhauer

MOTION CARRIED

PROCEEDINGS OF THE BOARD OF HEALTH MEETING
Tuesday, March 10, 2009
5:30 PM

Present: Audrey Murphy, Don Murray, Mary Scray, J. Tibbetts, M.D.

Excused: Harold Pfothauer, Vue Lor-Yang

Staff Present: Judy Friederichs, John Paul, Juli Gray, Rob Gollman, John Luetscher (Corporation Counsel)

Guests Present: Larry Collins (JBS, Packerland, Inc.), Brett Losey (Sanimax), Lucas Becks (Becks Quality Cabinets), Rick Gallenberger (Sherwin Williams), Gerald Becks (Becks Quality Cabinets), Joe Van Deurzen, Laura Mushinski (Allens, Inc.), Andy Nicholson (Brown County Board of Supervisors)

1. CALL TO ORDER, INTRODUCTIONS & BOARD STATUS UPDATE

Board members, John Luetscher (Corporation Counsel) and staff introduced themselves.

Judy reported that she has contacted the County Executive's office regarding the status of Joe Van Deurzen's reappointment to the board. The Executive's office told her that his name would be on the next County Board meeting agenda for a vote. Judy received a call from Vue Lor-Yang who told her that she will be resigning from the board because of family obligations.

Audrey stated that Mr. Van Deurzen's term ran out at the end of 2008 – there is often a delay in re-appointing members to subsequent terms because of the timing of County Board of Supervisors' meetings.

2. APPROVAL / MODIFICATION OF THE AGENDA

Audrey suggested that items 4 and 5 be switched so that informational items on the agenda can be completed before the floor is opened to guests who wish to speak in front of the board regarding item 5.

MOTION: To approve the modified agenda. Tibbetts / Scray

MOTION CARRIED

3. APPROVAL OF MINUTES OF JANUARY 13, 2009

MOTION: to approve the minutes.

Scray / Murray

MOTION CARRIED

4. INFORMATION: TOURIST ROOMING HOUSES

John Paul stated that the City Council is addressing the issue of tourist rooming houses on Shadow Lane, across from the stadium. Alderperson Wery contacted the health department to inform staff of potential problems with these houses. One of the houses was approved and licensed as a Tourist Rooming House. The other 5-6 home owners were notified via email of the requirements for licensing these homes. Two of the owners responded that they will no longer be operating as demand for the homes has declined due to the increase in the number of hotel / motel rooms available in the city. John stated that his staff just wanted to make sure the owners are aware of the requirements should they choose to be licensed as a tourist rooming house.

Audrey asked if John will be doing any follow-up on the 3 or 4 houses that John has not gotten a response from yet. John said that his staff will follow up when football season starts. If these homes are found to be operating as rooming houses without licenses, citations will be written and fines levied. John stated that the fee for licensing the homes is \$175 for pre-inspection and roughly \$140 for a license.

5. REVIEW OF CHAPTER 38, BROWN COUNTY CODE OF ORDINANCES, ODOR VIOLATIONS, FOR POTENTIAL REVISIONS

Audrey stated that this is a discussion that began last fall with concerns expressed by Supervisor Nicholson. At the last Board of Health meeting, a discussion took place regarding Supervisor Nicholson's concerns. Supervisor Nicholson was present along with Attorney Fred Mohr. Attorney Mohr stated that the ordinance that is currently in place is an enforcement ordinance rather than an inspection ordinance. At the January meeting, three issues were identified that were to be discussed at the next meeting. The first issue was the number of verified complaints necessary to issue a citation – the current ordinance requires 3 within an 8-hour period; the second was the possibility of increasing the fines for violations; and the third was the question of whether some of the sanitarians' expenses could be recouped if they have to go out to the same facility a number of times.

Audrey stated that the ordinance was revised in 2005. At the time, the board felt that they had put a lot of time and effort in to strengthening it and believed that it was a good ordinance, however the board is open to suggestions that might

improve it even further. Audrey asked the new Corporation Counsel, John Luetscher to address the three issues one at a time.

1) Attorney Luetscher said that he understood that Supervisor Nicholson had suggested that the number of complainants be reduced from three to two or even one. He said that this would obviously increase the number of violations since it is easier to verify an odor with only one or two complaints. He stated that the ordinance is a public nuisance ordinance – by definition, a public nuisance is something that affects more than one, or a significant number of people. The appellate courts in Wisconsin have not given a definition of what a significant number would be – but it does need to be a substantial number. He also said that the extent of the nuisance should also be taken in to account. Taking into account the definition of a public nuisance, Attorney Luetscher stated that the number of verified complaints required before a violation is issued should not be reduced to one, because that would be a private nuisance. He did not feel that there was really a difference between two and three. Audrey asked if it was reasonable to leave the time frame at 8 hours. He stated that according to the statistics provided by John Paul, increasing the time frame would not make a significant difference in the number of violations issued.

John Paul distributed a list of the complaint / violation statistics for 2008. He stated that three citations were issued based on a little more than 100 verified complaints. If two verified complaints had been required, 22 citations would have been issued. John suggested changing the complaint time frame to 12 hours to match the time frame for noise complaints since noise is contained in the same ordinance with odor.

Don asked how many times the same person has called in multiple complaints. John said that he does not have that information but that about 35% of complaints are not verifiable. John further said that the department frequently gets calls from a particular area or neighborhood – but he does not know how many calls come from the same person.

When asked for his input, Rob Gollman stated that the sanitarians are willing to do whatever the board decides is appropriate.

Attorney Luetscher asked Rob if, when a complaint comes in, the inspector waits for another complaint to come in before deciding whether a violation has occurred. Rob said that, typically what happens is that the inspector goes out to investigate the first complaint and gets another one or more calls while they are doing their investigation or when they are on their way home.

Audrey asked board members whether they would like to reduce the number of complaints necessary for a violation and/or whether the amount of time between complaints should be increased.

Mary said that she does not have a problem reducing the number of complaints to two but leaving the 8-hour time frame. Don said that he does not understand where the ordinance is falling short. He asked whether companies who had been cited are not making an effort to reduce the number of complaints. Supervisor Nicholson said that he expressed his opinion at the last Board of Health meeting. He feels that since the ordinance was revised in 2005 there have been ongoing problems and that the ordinance may need some tweaking. Dr. Tibbetts asked Supervisor Nicholson if a reduction in the number of complaints needed to issue a citation would meet his needs with the expectation that more citations will be issued. Supervisor Nicholson said that he does not necessarily expect more citations but feels that reducing the number of complaints required for a violation would hold companies more accountable to fix the problem. Audrey commented that the mission of the health department is not to be punitive but to work in a cooperative, educational fashion with businesses.

Audrey asked that the board keep in mind the possibility of reducing the number of complaints from three to two and keeping the 8 hour time frame intact while the other two issues are being discussed.

Supervisor Nicholson asked where the idea of increasing the time frame came from – it was not part of his recommendations. Audrey said that this was a suggestion by staff which would make the ordinance more uniform between the provisions for noise and odor.

2) Audrey stated that the second issue is the idea of increasing the fines for violations. The ordinance states that the fine for the first violation is not less than \$50 and not more than \$500; the second within a 365 day period is not less than \$250 and not more than \$1,000; the third fine is to be determined by the board. However, a motion was made in November, 2006 to set the penalty for a third violation to \$1,250 to \$2,000. The motion further stated that fourth and subsequent violations would require the business to appear before the board.

Attorney Luetscher said that the third violation cannot remain as it is – a maximum must be set. The change recommended by the motion must be made part of the ordinance. He further stated that the forfeitures included in an ordinance by law cannot be punitive – they are intended to correct and educate. The fines must be reasonably related to the cost to a municipality to address the concern.

3) The third issue was to recoup some of the expenses related to the sanitarians' time responding to complaints. Attorney Luetscher confirmed that you cannot charge a company just because someone complains. He looked in to adding "costs" to a fine that would go to the department and determined that this is also not allowed. The forfeiture itself is supposed to be the vehicle to recoup those costs.

Judy said that John Paul has talked to Land Conservation which has a procedure that includes fines being paid directly to their department. Attorney Luetscher said that he has also talked with Land Conservation and said that the practice of collecting those fines and keeping them in the department would not work in this case.

Audrey asked board members if they agreed that the number of violations be reduced to two, the time frame should stay at 8 hours and that the motion from November, 2006 be put in place to set a minimum and maximum fine for a third violation. Don said that he did not agree that the number of complaints should be reduced to two unless there is real evidence showing that there is abuse by a company that shows things are not getting fixed by being fined.

MOTION: To depart from the regular order of business to hear public comment.
Scray / Murray

MOTION CARRIED

Joe Van Deurzen, 713 Eau Pleine, De Pere: Mr. Van Deurzen stated that the board had spent a ton of time working to revise the ordinance in 2005. Everyone here tonight has talked only about companies – but this ordinance is for the county of Brown. This ordinance takes into consideration any citizens such as someone with a wood-burning stove, or someone who decides to smoke fish. If we have a company with a terrible odor, getting 3 complaints is not going to be a problem. But, if an individual has 2 neighbors that are mad at them, they are going to be punished. The board put the 3 complaints in there in an effort to be cautious and protect individuals who might be creating an odor. Mr. Van Deurzen pointed out that odors created by farmers aren't a violation because it is an agricultural use – but someone who spreads manure on their back yard garden and creates an odor can be issued a fine. The purpose of the health department is to help and educate the public – not to make money. Another thing, when it comes to odor, there is no meter like there is for noise. Mr. Van Deurzen stated that if he were on the board, he would not vote to change the ordinance.

Larry Collins, Environmental Manager for JBS Packerland: Mr. Collins stated that he has respect for everyone speaking tonight. He said that he feels that the ordinance as it exists does have teeth. Everyone knows that the county has been citing Packerland for some time, often with a lot of frustration. He stated that Packerland has invested a lot of money on improvements relating to odor: \$330,000 on stack project; \$30,000 on improvements to the ozone generator; \$32,000 for a chemical storage building; \$75,000 to improve odor control at the wastewater treatment plant; \$20,000 - \$30,000 working on some small, isolated opportunities at the plant. He said that he questions why this is occurring now because he sat at a meeting just a couple of months ago where more than one

board member stated that they were satisfied with the ordinance as it is. He further pointed out that multi-million dollar corporations are having problems making ends meet now too. Mr. Collins stated that he has personally stood in front of a house where someone called to complain with members of the Board of Health and there was no odor. He said that it brings into question the subjectivity and the fairness of the process. One neighbor could be upset and call their friend two houses away and say that Packerland stinks again and all of a sudden you have a violation. Packerland is satisfied with the ordinance as it is, and feels that it is effective.

Mary asked when the changes at Packerland would take place. Larry stated that they are hoping that the stack will be finished by April 1st.

Lucas Becks, Becks Quality Cabinets: Mr. Becks said that they spray different finishes in their business and have been in touch with the DNR regarding emissions, etc. and have been told that they are in compliance with the DNR's emissions rules. He said that he would not know what to change in order to comply with this ordinance if it is changed. His business is in an industrial park with other companies yet they have been visited twice due to complaints. As was mentioned before, if the ordinance is changed to only 2 complaints, one neighbor could call another neighbor and you've got a violation.

Brett Losey, Environmental Supervisor with Sanimax: Mr. Losey stated that he is in complete agreement with Joe and Larry regarding how the ordinance is currently written. The "three strikes" rule is what America is built on. In terms of identifying a public nuisance, where a substantial number of citizens are affected, two complaints is still questionable as far as showing that a substantial number are affected. Three complaints still seems reasonable to warrant a citation.

Laura Mushinski, Director of Environmental Quality for Allens: Ms. Mushinski stated that the ordinance as it is now is working. Allen's received a citation two years ago and had a major drop in complaints last summer by walking away from millions in investments in their wastewater facility with the ordinance as it is now.

MOTION: To return to the regular order of business. Tibbetts / Scray

MOTION CARRIED

Audrey asked board members to give their feedback after hearing from the attorney and the public. She stated that the housekeeping related to the third citation needs to be taken care of.

MOTION: To leave the ordinance as-is. Murray / Tibbetts

DISCUSSION: Mary asked if there is an ordinance from another county that would help with this discussion. Attorney Luetscher said that he has looked and discovered that there are not a lot of these ordinances out there. A few that he found were very basic – similar to what Brown County had prior to 2005. Other jurisdictions outside of Wisconsin have created more elaborate ordinances. These jurisdictions do have instruments that can measure odors. However, he did not find any other jurisdictions with a better ordinance. This ordinance is unique in identifying the number of complaints constituting a violation.

MOTION CARRIED: Yeas 3 (Dr. Tibbetts, Mrs. Murphy, Mr. Murray)
Nays 1 (Mrs. Scray)

MOTION: To include in the ordinance a penalty of \$1,250 to \$2,000 for all third violations to the odor ordinance within a 365 day period.
Scray / Murray

MOTION CARRIED

Judy asked Attorney Luetscher whether violations beyond the third in a 365 day period would be treated the same as the third. He stated that, yes, the third and subsequent violations would be treated the same.

6. DIRECTOR'S REPORT

Judy stated that APAC, who had received a single complaint regarding noise last year, had agreed to test their backup generator once a month. Health department staff did follow up with the company and with the complainant. John was unable to contact the complainant and no other complaints have been made. Rob Gollman plans to run a check on the noise again to make sure there is no longer a concern.

The Hearing & Vision working group has met. The biggest part of the meeting was informational – giving people the opportunity to ask questions. Julie Knier, County Board Supervisor will be doing some research on statutes in other states related to hearing and vision screening. If she feels the need to re-convene the group, she will let Judy know. One thing that was helpful to the school districts was the knowledge that there were problems with their volunteers. The districts were going to try to be helpful to the program in making sure there are volunteers present to help with screenings.

Mary asked what years the health department screens. She stated that the Lions Club screens kindergarten and 4-year-old kindergarten and feels that there is a duplication of service in that age group. Judy said that Mary would need to check with Ricki Krautkramer regarding this since they have worked hard over the years to avoid duplication. Mary said that she would like to look at combining the Lions group and the Health Department to make sure duplication is not

happening. Dr. Tibbetts and Judy stated that there is not duplication; the screenings are coordinated to prevent that. Don stated that the schools would tell organizations if their students were being screened twice as they want to avoid disruption of the school day.

CD Update: Cases reported include a case each of Pertussis, Shigella, and Blastomycosis—all in adults. In the case of Shigella, it is important to determine if the person works in a sensitive occupation like food-handling. If the person is so employed, he/she must have a negative test result before return to work. There have also been some cases of Hepatitis A and C. The first case of Sapovirus in the state was reported in Brown County; this is similar to Norovirus. This virus usually occurs in infants and children; however this outbreak was in adults in a group home. Influenza activity is low as of the end of February. The state is not sure whether there will be a peak in activity or if it will remain in the low category.

We have just received information on our 140 review which is the audit that occurs every 5 years. It's extensive in that it looks at our compliance to the statutes at Level III. This time we will be filling out an electronic survey to complete the audit. We are to inform the state which month the survey will be completed.

The preparedness exercise originally scheduled on October 1st has been changed to August 5th. This eliminates the option to provide flu vaccine at the exercise which had been the original plan. This will be an exercise to practice receiving a package from the Strategic National Stockpile.

Judy said that she had prepared a brochure for Vue Lor-Yang during her training that summarized preparedness activities in the county. She distributed a copy of the brochure to board members. She suggested that Steve Johnson come to the next meeting to do a presentation on preparedness activities.

7. ANY OTHER BUSINESS AUTHORIZED BY LAW

No other items were discussed.

8. ADJOURNMENT/NEXT MEETING

The next meeting is scheduled for May 12th. Judy and Mary indicated that the change to the ordinance will be brought through the County Board process by the next meeting.

MOTION: To Adjourn at 7:02 PM. Scray / Tibbetts

MOTION CARRIED

PROCEEDINGS OF THE BOARD OF HEALTH MEETING
Tuesday, June 9, 2009
5:30 PM

Present: Audrey Murphy, Joe Van Deurzen, Mary Scray, Harold Pfotenhauer, J. Tibbetts, M.D.

Absent: Don Murray

Staff Present: Judy Friederichs, John Paul

Guests Present: Scott Patrick (WTAQ), Jeff Buboltz (WI Department of Family Services), Sarah Strelow (WI Department of Family Services), Julie Beyton (UWGB Nursing Student)

1. CALL TO ORDER, INTRODUCTIONS & BOARD STATUS UPDATE

Board members and guests introduced themselves. Judy welcomed Joe Van Deurzen back to the board. Judy also announced that Vue Lor-Yang has officially resigned her position on the board. Judy has approached a leader in the Hmong community to try to find another potential board member to fill the current vacancy.

2. APPROVAL / MODIFICATION OF THE AGENDA

MOTION: To approve the agenda. Van Deurzen / Pfotenhauer

MOTION CARRIED

3. APPROVAL OF MINUTES OF MARCH 10, 2009

MOTION: to receive and place on file Van Deurzen / Pfotenhauer

MOTION CARRIED

4. UPDATE ODOR ORDINANCE / COMPLAINTS

John Paul distributed information regarding complaints that were called in to the health department in the last year (attached). The complaints related to eight different odor sources. Three of the complaints listed were in relation to agricultural land-spreading, which is exempt from the nuisance ordinance.

John indicated that he and other health department staff visited Packerland to view the new stack that was recently installed. He also stated that the citation that was issued to Packerland last October has been dismissed due to the

successful completion of the required stack upgrade. Audrey asked John if he felt that the stack would be effective – he indicated that he does.

Judy stated that the revision to the nuisance ordinance that was discussed at the last meeting was approved by the County Board.

MOTION: To receive and place on file. Van Deurzen / Scray

MOTION CARRIED

5. UPDATE NOVEL H1N1 INFLUENZA A

Judy stated that the planning that has been done over the last several years was very helpful in responding to H1N1. Goals were to reduce transmission and severity and to provide information and assistance to a variety of groups including the general public. Currently, there are 21 confirmed cases between Brown County, De Pere and Oneida. 261 tests were negative. Most cases have been young adults. The state has speculated that the high number of cases in Wisconsin is more a function of the large amount of testing that has been done and probably not a higher number of actual cases in the state. As of May 11, the testing criteria are ramped down – the state is focusing testing on those with severe illness, healthcare workers and residents of long-term care facilities. This reduction in individual testing is moving toward surveillance methods for typical seasonal influenza, which is not individual based. The state is not (at this point in the outbreak) recommending closure of schools, daycare centers, etc. when a single case is confirmed – instead, health department staff send a letter to parents of classmate or coworkers with notifying them of a case and providing information on prevention of transmission of the virus and symptoms to watch for to assure early isolation. Pharmaceutical companies are working with CDC to possibly develop a 2-dose vaccine that would be administered in addition to the seasonal influenza vaccine. The amount of vaccine able to be produced is not known.

A total of 7 press conferences have been held – one jointly with De Pere and another jointly with the Green Bay school district. Judy also participated in a panel web-discussion sponsored by the Press Gazette. Talking points were distributed to media at each press conference. Planning sessions were held in person and via teleconference with first responders that have also included the mayor, county executive, representatives from school districts and health care personnel. Communication also took place throughout the event using the E-Sponder website which is routinely used by emergency government. Staff translated informational materials to Spanish and distributed the materials in key sites. Information was also distributed to churches through an interdenominational group. A number of broadcast faxes were sent out to groups such as the schools and infection control practitioners. Also, many updates were sent out to health care practitioners, sometimes several times per day in the

beginning of the outbreak when many outbreak management changes occurred. The after-hours answering service was helpful in fielding calls from healthcare providers. The state held teleconferences 3 times a week and reduced that number to twice a week until concluding them altogether.

Dr. Tibbetts said that he would like to offer sincere support to Judy and the department for handling this complicated issue. He stated that there were a couple of editorials that were not totally flattering but were understandable on both sides. He stated that he would like to go on record offering his support. Audrey said that she agreed and would like to thank Judy and the staff.

Judy said that, regarding the editorial in the Press Gazette, because of HIPAA rules, identifying information cannot be released in relation to cases. The state guideline is to release as little information as possible to protect the public's health. Age and gender are not information that would be helpful to the public for containment purposes.

6. DIRECTOR'S REPORT

John Paul said that the department has been awarded a Radon mini-grant that will provide 300 test kits for homeowners for a suggested donation of \$5. Money collected from donations will be used to purchase additional kits. Audrey asked what results were coming from the radon tests. John stated that some of the tests are coming in high and that the results from the tests are sent to the health department as well as to the homeowners. Information on mitigation is given to those whose tests have come back high.

The Beach Monitoring program is up and running again this year and will provide for weekly testing of several beaches in the county.

Judy said that the budget process for 2010 has begun. She distributed a copy of the SWOTS (Strengths, Weaknesses, Opportunities and Threats) form that was filled out by staff as a first step in the budget process. Judy reviewed each entry on the form (attached).

There is a new active TB case. Family members and close contacts have been tested and will be re-tested in July. An E-Coli case is linked to an outbreak in Arkansas.

The format has been given to us by the state for the state audit. This audit is conducted every four years and will be a self-evaluation this time. Staff will complete the tool by the end of October.

Judy and staff will be working with partners on community re-assessment.

The county has contracted with a safety consultant who will be meeting with all departments to develop a county-wide staff safety policy and procedure that is relevant to the individual department needs. Judy is meeting with this consultant to adapt safety policies and procedures that have already been developed for the health department. Audrey asked about the alarm system that had been removed from last year's budget. Judy responded that the funding for that security system was restored by the Human Services committee.

A public health nurse has resigned and will be leaving the department this summer. It's not clear whether we will be allowed to immediately fill that position.

Judy distributed a newsletter that the state sent out to boards of health members. Members indicated that they did receive this newsletter in the mail.

MOTION: To receive the report and place on file. Van Deurzen / Scray

MOTION CARRIED

7. ANY OTHER BUSINESS AUTHORIZED BY LAW

Audrey stated that it would be appropriate for the board to go on record supporting the director in her response to the H1N1 situation. Judy asked that the staff also be included.

MOTION: The Board of Health goes on record in support of the director of our health department and the entire staff as they provided professional service to our community in a very comprehensive way through the Novel H1N1 Influenza situation. Scray / Pfothenauer

MOTION CARRIED

Mary Scray asked if Judy has talked with Executive Hinz regarding the vacancy on the board. Judy said that she has talked with the Executive's office who agreed to allow her to pursue leads with the executive director of the Hmong Center. Mary said that she had indicated that she would pass along that the new board member should be a Brown County Health Department jurisdiction resident.

8. ADJOURNMENT/NEXT MEETING

The next meeting is scheduled for July 21st at 5:30 PM. This will allow the board to give input prior to the budget being due (July 24) to the Department of Administration.

MOTION: To Adjourn at 6:40 PM. Scray / Van Deurzen
MOTION CARRIED

PROCEEDINGS OF THE BOARD OF HEALTH MEETING
Wednesday, August 12, 2009
5:30 PM

Present: Audrey Murphy, Joe Van Deurzen, Mary Scray, Harold
Pfotenhauer, J. Tibbetts, MD

Absent: Don Murray

Staff Present: Ricki Krautkramer, Judy Friederichs, John Paul

1. CALL TO ORDER & BOARD STATUS UPDATE

Judy stated that she has spoken with a leader in the Hmong community regarding a potential board member to fill the current vacancy.

2. APPROVAL / MODIFICATION OF THE AGENDA

MOTION: To approve the agenda. Van Deurzen /Pfotenhauer

MOTION CARRIED

3. APPROVAL OF MINUTES OF JUNE 9, 2009

MOTION: To receive and place on file. Van Deurzen Pfotenhauer

MOTION CARRIED

4. APPROVAL OF DEPARTMENT PROPOSAL FOR 2010 BUDGET

Several budget documents were mailed to board members prior to the meeting.

Judy discussed the Budget 2010 Levy Changes document. .60 FTE of a .80 FTE nurse position was "un-funded", but left on the Table of Organization for possible future use. A 2% increase in salaries was included in the salary and fringe calculations made by Administration. Total fringe benefit cost was reduced by \$32,000 from 2009 due to various discounts applied from the county's insurance fund.

Several items in Operation and Maintenance were decreased. Information Services added "Supplies Technology" to update the phone system and "Software Cost" to replace an out-dated client data base.

Joe asked about the \$980.00 maintenance agreement charge. Ricki said that I.S. had encouraged the department to purchase the agreement for a software program that was purchased in 2008. This software is used to send reminders to people who are scheduled for immunization clinic appointments.

Judy distributed and discussed a handout about I.S. chargebacks. There was a decrease in Total Utilities because of reduced phone usage. The Professional Contracts category includes contracts for veterinary services, the Sharps program, N.E.W. Community Clinic and the state licensing program consultant fee.

The department's levy target was decreased by 1.3% from 2009. License fee rates for 2010 were increased by 3%. John Paul said the fee for late-payment of license fees will be changed from a flat rate of \$218 to \$100.00 plus 10% of the establishment's total license fee. Grant Fund Balance will be used for replacing computers and purchasing a new client database. Audrey asked about the Carryover and Transfer In amounts, and Judy explained that it is this refers to the Grant Fund Balance account.

Judy and managers will meet with the county executive August 18th to discuss the 2010 budget.

MOTION: To approve the 2010 budget as presented.

Van Deurzen /Tibbetts

MOTION CARRIED

5. UPDATE ODOR ISSUES

John distributed and discussed an odor issue handout comparing the number of sites, the total number of complaints, and the percentage of odors verified from January through July 15th in 2008 and 2009. In 2008, 75% of 42 complaints were verified in three sites; and in 2009, 60% of 25 complaints were verified in eight sites. Two plants have made improvements causing the complaint number to decrease.

Health Department staff met with representatives from Sanimax and DNR staff to discuss future improvements. An on-site meeting will be scheduled at Sanimax to help Health Department staff become more familiar with their operation.

One complaint regarding Sanimax was made by another company in the area. John has consulted with John Leutscher, Corporation Counsel

regarding this complaint because the ordinance states that individuals may make complaints regarding odors that affect their enjoyment of their property. John Leutscher stated that the Health Department does not have jurisdiction over one company complaining about another company.

Audrey and Dr. Tibbetts expressed concern that the ordinance wasn't enforced in this situation. The Board decided to invite Corporation Counsel to the next meeting to clarify the ordinance.

6. NOVEL H1N1 (SWINE) INFLUENZA A PLANNING

Updated informational sheets were distributed and discussed.

Judy stated that vaccine trials will determine the number of doses needed, dosage strength, and other factors. Vaccine availability is projected for October. CDC has targeted the following groups to receive vaccine: pregnant women, individuals six months to 24 years, health care and emergency medical service workers, individuals who are 25 – 64 with health conditions putting them at higher risk for complications and individuals who live with or care for infants younger than six months. Vaccine will be distributed to public and private providers. Judy does not yet know where clinics will be based or how surveillance will be handled. The newest recommendation is to isolate individuals for 24 hours after fever resolution.

Judy stated that she is referring to the department's pandemic plan as well as her experience with the H1N1 response this past spring for planning. She will be looking at mass community clinic sites, talking with health care providers, and meeting with Emergency Management at the new EOC facility about volunteer management and press conference locations. Regional public health agencies are planning a seminar with at-risk providers to explain what public health does in emergencies and ask them how we can help. State webcast updates will be scheduled bimonthly. The department will receive \$64,000 in funding to help with H1N1 preparation. Other department activities have been scheduled earlier, so staff can concentrate on H1N1 activities.

Audrey asked if the public should receive regular flu shots before H1N1 shots and if staff could handle mass clinics. Ricki said recommendations are to give regular flu vaccine earlier. She is not concerned about mass clinics, but is concerned about school-based clinics because of staffing, the number of students and schools involved, volunteers, scheduling, data entry and parents' consent forms. Ricki and the Board discussed school-based clinic challenges. Mary asked if the school has any clinic responsibilities. Ricki said they don't have any legal responsibilities, but we do need their cooperation. Judy and Ricki have a meeting scheduled

with school superintendents to discuss clinic needs. Harold asked about the present number of swine flu cases. Judy said influenza-like activity is low state-wide.

7. DIRECTOR'S REPORT

There have been nine cases of Lyme Disease reported recently which is above average, but there were no links among the cases. Lyme Disease handouts were distributed.

The Department of Administration has instituted a "Voluntary Unpaid Leave" program. Staff may request time off without pay which is subject to supervisor approval. Four staff members have requested time off.

The state conducts an audit of all public health agencies every five years to determine whether the agencies remain compliant with state statutes. The Brown County Health Department is due to complete its audit in 2009. The new audit format is an electronic version of the survey that was submitted five years ago – agencies are asked to report any changes to their operations from the last time the survey was submitted. The department's report will be submitted by the end of the summer.

The department will be conducting a community assessment in cooperation with the De Pere Health Department starting in January. A community assessment is a process of evaluating the health status of our community and making recommendations for improvement. When Judy, Mary Dorn from the De Pere Health Department, and the state nursing consultant met to explore options for doing the assessment; the group decided to invite local partners to meetings to review our jurisdictions' health data manual, have them fill out an important issues input sheet, have the consultant summarize the input sheets, meet with our partners to decide which priorities should be worked on, and form response groups to work on those priorities. Adolescent pregnancy prevention, cardiovascular health, and tobacco cessation and control have been our prior priorities from previous assessments.

Judy met with a safety consultant who was hired by the county to assess departments' safety needs, develop a safety policy, designate staff to work with a safety program and start needed training programs for all county departments. Judy stated that the consultant was impressed with the department's personal protective equipment and active safety committee. Audrey asked if money was involved, and Judy said the only expenditure would be people's time.

Ricki completed a childhood lead grant application for outreach and education.

2008 annual reports were distributed. They were sent to municipalities and County Board members. The report was also posted on the department's website.

MOTION: to receive the report and place on file Van Deurzen / Scray

8. ADJOURNMENT/NEXT MEETING

The next meeting will be scheduled tentatively for September 9th at 5:30 PM.

MOTION: To Adjourn at 6:45 PM.

Scray / Van Deurzen

PROCEEDINGS OF BROWN COUNTY CHILDREN WITH DISABILITIES EDUCATION BOARD:

A regular meeting was held on: Tuesday, December 15, 2009

Board Members Present: J. Van Sistine, M. Greenlaw, B. Clancy, S King

Board Members Excused: K. Prast

Others Present: B. Natelle, S. Goron, M. Hillert, A. Nizzia, M. Brick, S. Keckhaver

1. Call to order – 4:00 p.m. – J. Van Sistine.
2. Action Item: Approval of Board Minutes November 17, 2009: M. Greenlaw moved to approve the minutes of the November 17, 2009 Board meeting. B. Clancy seconded the motion. Motion carried.
3. Correspondence: A letter from Lamers Bus Lines was shared with the Board. Lamers had conducted a safety meeting with the drivers and reviewed numerous safety items and Blood Borne Pathogens. B. Clancy moved to place the letter on file. M. Greenlaw seconded the motion.
4. Action Item: Approval of Agenda: S. King moved to approve the agenda as presented. M. Greenlaw seconded the motion. Motion carried.
5. Action Item: Donations: Kohl's Department Stores donated \$1,000 to Rob Morris' classroom.

Rick of Frito-Lay donated 250 single serve bags of potato chips for the student holiday gift bags.

Freund Family Foundation donated \$500 to the school.

John & Audrey Keegan donated \$200 which has been designated to Sara Pyka's classroom.

Hank & Pat Mencheski donated \$100 to the Parent Organization toward the craft show.

Randy and Anne Fenwick donated \$2,000 in honor of Johnnie and Barb Gray.

Jack & Lois Fox donated \$100 for the student holiday gift bags.

Shopko Foundation donated \$1,000 for the "Dash for a Splash" 5K walk/run.

John & Carol Vermeulen donated \$100 for Hopp needs.

John Hettrich donated one red and one orange ball to the Phy Ed Department.

Mike Meyer, Regal Window & Door, donated eight \$15 Festival Foods gift certificates plus one turkey.

Michael Manders donated \$50 in honor of his wedding.

Trega Foods donated \$5,092.96 for Hopp Needs.

PROCEEDINGS OF BROWN COUNTY CDEB MEETING, DECEMBER 15, 2009:

Mr. & Mrs. Ed La Mere, Equitable Reserve Association, donated numerous stockings filled with candy bars, calendars and coloring books.

Mary Terrien donated three spa massage wrap massagers and two stuffed dogs with bottles inside for sensory stimulation for the Early Childhood classroom.

Randy Piontek, East Side Exhaust, donated a flocked Christmas Tree to decorate the school for the holidays.

De Pere Greenhouse donated a poinsettia.

Orion and Holly La Palm donated \$20 to Mr. Gehring's classroom for the class trip.

St. John Nepoumcene Catholic Church donated \$50 which has been designated for the Early Childhood classroom.

Curt Albers donated \$50 toward Megan Fry's classroom.

The following donations were received for the Pool Fund:

Donald Jr. & Julie Long Foundation - \$1,500

Scott King - \$2,500

Lyle Lamers - \$5,000

B. Clancy moved to approve these generous donations. S. King seconded the motion. Motion carried.

6. Action Item: Financial Report: M. Greenlaw moved to accept and place on file the financial report ending November 30, 2009. S. King seconded the motion. Motion carried.

7. Action Item: Administrators Report:

- a. M. Brick updated the Board on transportation. A new bus aide has been secured for a route that does not currently have a bus aide. There is one bus aide who is returning to school so we will be looking to replace her. Eleven of the thirteen routes are now covered with bus aides.
- b. The Syble Hopp School children decorated trees at the De Pere City Hall with the help of the Mayor, his staff, the police, fire and rescue department workers. The children also decorated the County Executive's tree with the help of the Executive and his staff. The ornaments on the trees are hand made ornaments by the children.
- c. The Holiday Program will be held in the afternoon and evening, December 16 at 1:00 p.m. and 6:30 p.m. Staff anticipates over 435 people to attend.

PROCEEDINGS OF BROWN COUNTY CDEB MEETING, DECEMBER 15, 2009:

- d. K. Prast requested we move the board meeting from Tuesday night to Wednesday nights at least until December, 2010 due to her class schedule. After discussion, it was decided to change the Board meetings to the fourth Wednesday of each month beginning with the Wednesday, January 27th meeting.
 - e. S. Goron reviewed the Alternate Assessment process with the Board. As required the Alternate Assessments were administered to students in the 3, 4 and 5th grades during November. The Syble Hopp teachers did an outstanding job with the individual assessments. The assessment materials have now been sent back to the students Districts of Residence.
 - f. A. Nizzia reported that her transition to the Principal position has been going well. She has been gaining many new experiences.
- B. Clancy moved to accept the Administrator's Report. M. Greenlaw seconded the motion. Motion carried.
- 8. Action Item: Payment of Bills: M. Greenlaw moved to pay the bills totaling \$350,408.43 General fund and \$16,246.73 Pool Fund for the month ending November, 2009. S. King seconded the motion. Motion carried.
 - 9. Action Item: Parent Organization: M. Hillert reported that the parents are continuing the mixed nuts sale. There are approximately 60 cases of nuts left. B. Clancy moved to accept the Parent Organization report. M. Greenlaw seconded the motion. Motion carried.
 - 10. Executive Session: The board will move to executive session as allowed by WI Stats 19.85(1)(c)(e) to discuss personnel and negotiations: M. Greenlaw moved to executive session as allowed by WI Stats 19.85(1)(c)(e) to discuss personnel and negotiations. B. Clancy seconded the motion. Motion carried.
 - 11. Staff Request: M. Greenlaw moved to approve the request as discussed. S. King seconded the motion. Motion carried.
 - 12. Adjournment: M. Greenlaw moved to adjourn the meeting at 4:35 p.m. B. Clancy seconded the motion. Motion carried.

MINUTES
BROWN COUNTY HOUSING AUTHORITY
Monday, December 21, 2009
City Hall
100 N. Jefferson Street, Room 604
Green Bay, WI 54301
3:00 p.m.

MEMBERS PRESENT: Darlene Hallet-Chair, Tom Diedrick, Paul Kendle, Rich Aicher

MEMBERS EXCUSED: Michael Welch-Vice Chair

MEMBERS ABSENT: None.

OTHERS PRESENT: Rob Strong, Robyn Hallet, Donella Payne, Chip Law, Matt Roberts, Dan O'Connell, Patrick Faulds

APPROVAL OF MINUTES:

1. Approval of the minutes from the November 16, 2009, meeting of the Brown County Housing Authority.

A motion was made by R. Aicher and seconded by P. Kendle to approve the minutes from the November 16, 2009, meeting of the Brown County Housing Authority. Motion carried.

2. Approval of the minutes from the December 17, 2009, special meeting of the Brown County Housing Authority.

A motion was made by R. Aicher and seconded by P. Kendle to approve the minutes from the December 17, 2009, special meeting of the Brown County Housing Authority. Motion carried.

COMMUNICATIONS:

None.

REPORTS:

3. Report on Housing Choice Voucher Rental Assistance Program.

A. Preliminary Applications

D. Payne stated that there were 131 applications received for the month of November.

B. Housing Assistance Payments

D. Payne stated that the HAP for November was \$999,488.00

C. Housing Assistance Unit Count

D. Payne stated that the unit count for November was 2724.

- D. Housing Quality Standard Inspection Compliance
M. Roberts stated that the initial pass rating was 40% with a reinspection pass rating of 34.12%. The fail rate is at 25.88%, which is the lowest it has been all year.
- E. Housing Choice Voucher Administrative Costs and HUD 52681B
C. Law distributed the 52681B. ICS is still under budget by \$22,000.00 for HCV through November. He still does not expect to be under budget at the end of December.
- F. SEMAP Monitoring Report
D. Payne stated that the SEMAP monitoring is still at 100%.
- G. Report of the Housing Choice Voucher Family Self-Sufficiency Program.
D. Payne stated that there were 101 clients in November, of which 41 contribute to escrow accounts. There were no graduates in November. There was one new contract in November.
- H. Report on the Housing Choice Voucher Home Ownership Option.
D. Payne stated that the client count is 97.
- I. Report on Langan Investigations Criminal Background Screening and Fraud Investigations.
D. Payne distributed the report. There were seven investigations opened in November. Two were closed as substantiated, one was closed as unable to substantiate, and four investigations still remain open.

OLD BUSINESS:

- 4. Discussion and possible action about Brown County utilizing HUD Veteran Affairs Supportive Housing (VASH) Vouchers.

F.. Hallet stated that she and D. Payne participated in a telephone conference with HUD Milwaukee, representatives from Milwaukee County Housing Authority, representatives from the Racine County Housing Authority, and Veteran Affairs (VA). Essentially these VASH Vouchers are special vouchers to allow homeless veterans to participate in the Housing Choice Voucher Program. Some time back a study was conducted to determine which jurisdictions had a certain number of homeless veterans and would be able to use these vouchers. Green Bay was identified as one of the communities in need of these vouchers but somehow Green Bay was not included when the vouchers were actually distributed. Now that HUD has been made aware of this, they are looking to the Milwaukee and Racine County Housing Authorities to determine if some of the vouchers given to them could be utilized here in Brown County.

F.. Hallet stated that a point-in-time survey found that there were 19 homeless veterans in Green Bay.

She went over the list of pros and cons that she submitted to the Authority in their agenda packet. One pro is the reduction in community's cost to serve homeless vets through homeless shelters. Another is ability to serve Brown County residents without using our own Vouchers, since these would all be port-in vouchers. She further explained that because all of the vouchers were allocated to other communities there aren't any available for Green Bay to have as their own. HUD is willing to have us work the Milwaukee and Racine County Housing Authorities to have the vouchers ported up here. Usually a port-in voucher comes with a person because the person is moving to this area. The Veteran's Administration would identify someone who is a resident in Brown County and a homeless veteran. We would then contact the Racine County Housing Authority (Milwaukee County Housing Authority has stated that they have pretty much allocated all of theirs.) and let them know we have a veteran who is in need of a voucher. That individual would have to apply in Racine, get the voucher, and then port up here. The individual would not physically move down there but would apply through Racine for the paperwork to be completed.

Other advantages include serving two high areas of concern: homelessness and veterans; assisting vets to stabilize their lives and reach self sufficiency; coordination with VA Case managers.

Disadvantages to the VASH Vouchers include: additional administrative work; misunderstandings due to them being port-in vouchers; perception that Brown County already has a sufficient number of vouchers; and that screening is limited to sex offender registry. R. Hallet explained that screening for the VASH vouchers can only be based on the sex offender registry and that could result in the admission of individuals who have drug/violent history or other criteria that would otherwise make them ineligible for HCV.

D. Hallet clarified that ICS would help with the paperwork for the VASH vouchers and wondered if this would be a nightmare for landlords to deal with these people that have problems like a violent history.

D. Payne stated that the Veteran's Administration did say that these individuals do need to be in case management and adhering to a specific action plan that has been set up with the Vet's. If they do not follow the plan or meet with their representative from the VA, then they are removed from the program.

R. Strong stated that we can't screen the veteran's based on their past history but we should have every right to manage it once they are in our program.

D. Payne stated that is something that we can make sure is part of the Veteran's plan with their VA case worker.

D. Payne stated that there will be one individual in her office that would handle these VASH vouchers.

R. Aicher stated he doesn't know what is all involved in the extra administrative work that would be required with the VASH vouchers or how much it would cost to

co a software upgrade. It is hard for him to get a handle on this aspect of it. We need to look at if this is going to be a lot of extra work and will it cost thousands of dollars to set up the program.

F. Hallet stated that regarding the software, she has been told but has not yet confirmed that HAPPY software, which is what we currently use, does have an extra module for the VASH vouchers so it would be just the purchase of that additional module. She does not believe that module would be more than a couple of thousand dollars.

D. Hallet asked how long this VASH voucher program had been in Milwaukee County and Racine County.

D. Payne replied that this is their first year for having the VASH vouchers.

T. Diedrick stated that if it is realistic from a financial standpoint, he would like to move forward with this. He is not going to worry about other people who are concerned about the size of our HCV program.

F. Aicher stated that one thing that might be a concern for the public or elected officials is if you have ongoing issues with tenants that aren't addressed by the VA. We might want to look into how strict the VA is with the veterans and how much slack do they cut for them.

F. Strong stated that to some degree we may be able to tell the VA that this is what we expect and these are the rules we expect the Veterans to live by. If someone is arrested or found to be taking drugs, or whatever the case may be, we would need to be notified. If the VA is willing to agree to that and work with us then it would make some sense to do this.

F. Strong asked if we needed to amend the Administrative Plan before we could accept the VASH vouchers.

F. Hallet stated that she does not think so.

F. Strong stated that he was inquiring because we would then be able to bring the changes to the Administrative Plan back to the Authority so that they could understand what types of requirements we are going to have for the VA to keep an eye on for us.

D. Payne stated that it would be easier to put together a separate chapter for the VASH voucher program.

F. Strong stated we could come back with that chapter at the January meeting and before we move forward with the program.

A motion was made by T. Diedrick and seconded by P. Kendle to approve Brown County utilizing HUD Veteran Affairs Supportive Housing (VASH) Vouchers,

subject to further analysis and the review/approval of the changes to be made to the Administrative Plan. Motion carried.

F. Strong stated that there are individuals here from Madison and asked if the agenda could be adjusted to take item 7 next.

A motion was made by T. Diedrick and seconded by R. Aicher to take item 7 out of order. Motion carried.

NEW BUSINESS:

7. Discussion and possible action on Project Based Vouchers for Port Plaza Tower relocated tenants.

F. Strong stated that about a year ago we talked about the Port Plaza Tower tenants and relocating those tenants. This has moved forward. The tenants would be relocated into two new developments in the community. The Wisconsin Housing Preservation Corporation has secured the tax credits to help move this project forward. A year ago the Authority pledged up to 150 units contingent upon HUD approval. We are now getting to the point where they are going to close on the tax credits and close on the purchase of one of the properties and they do own the other property already. Because the time period for the loan is 15 years and the limit from HUD on the project basing for vouchers is 10 years, there is a 5 year gap where the investment groups are going to be edgy about whether the occupancy could continue. He is looking to suggest to the Authority that we would do the 10 year loan with a 5 year loan renewal that would automatically rollover.

D. O'Connell from Wisconsin Housing Preservation Corporation spoke to the Authority. He stated that the financial markets have changed dramatically as well as the investor market for tax credits. One of the big issues with a lot of the investors is that they don't like to invest in properties that have a lot of extra issues surrounding the projects. Investors don't really comprehend the Section 8 program and they don't really like it. It is hard to see a commitment by the investor for 15 years when HUD is only committing to 10 years. The worry then becomes if there will be sufficient funding to address the last five years. As often as possible on the Project Based Vouchers, most developers try to get the 20 year gap contract. Because this is a little bit different, HUD provides a ten year contract as a maximum. The automatic rollover does help the investor be more comfortable with their commitment. D. O'Connell stated that the closing would be in February and March with the ground breaking shortly after that.

F. Strong stated that procedurally, we are going to do an RFP, Wisconsin Housing Preservation Corporation will submit their project, we'll accept their project, then move forward with the issuance of these vouchers. We need to start on this now so that when construction is done, we'll be in a position to provide the vouchers to the tenants.

F. Aicher stated that he does not have a problem with 5 years or 10 years but we are assuming vouchers are available. There has to be a government program through HUD that the vouchers are definitely available to us.

F. Hallet stated that there is a contract that would be signed between the Housing Authority and the owner of the establishment. While she is not familiar with the wording in the contract she is almost entirely certain that there would be some kind of wording to that effect.

F. Aicher stated that while it should be in the motion, the contract should be verified that the necessary wording is in it because we can't put the Housing Authority financially on the line.

A motion was made by R. Aicher and seconded by P. Kendle to approve the 10 year contract for up to 150 Project Based Vouchers, with a 5 year renewal that would automatically rollover, subject to the availability of the vouchers by HUD. Motion carried.

A motion was made by T. Diedrick and seconded by P. Kendle to return to the regular order of the agenda. Motion carried.

OLD BUSINESS:

5. Update on status of ICS's Request for Proposal for HCV applicant screenings.

E. Payne stated that requests for proposal were sent out and three were received. She eliminated one right away because it was not feasible as far as experience and cost. She distributed graphs to the Authority that show the administrative funding from HUD since 2006 and the estimate based from Langan and another company that she will talk to the Authority about. She stated that Langan has always done a good job but that Langan has increased their prices significantly. Over the next year Langan is proposing anywhere from a 26% to 29% monthly increase over the current costs. The total costs would be around \$90,000.00 to use Langan's services next year and as you look at the graph, it shows that the administrative funding from HUD has been decreasing.

E. Payne stated that she has spoken with Clyde Cribb who is a licensed investigator for CCI Investigate Services. He has 32 years of law enforcement experience and he retired from the Brown County Sheriff's Department in 2001 as a Captain. He has been providing a full range of investigative services to attorneys, individuals, and government agencies for the past eight years. She contacted three of his references and each one stated that he is the only investigator that they would consider using. She was informed that he was very thorough and reliable. She and Mr. Cribb went over the different types of investigative work that is necessary for the preliminary applications and also unreported household members, the different types of fraud, and criminal activity. Mr. Cribb's bid came in at \$28,000.00 less than Langan's to provide the exact same services.

C. Law stated that he and Jon Syndergaard had also met with Mr. Cribb and were very impressed with him. Mr. Cribb retired from the County as a Captain, which is impressive. This decision is not being taken lightly and we are aware of the perceived political clout that Langan brings with them. The \$28,000.00 difference is equivalent to funding a FTE to work on the program. ICS wanted to present this to the Authority and get their feedback and opinion because ICS realizes how critical this is to the success of the program. He feels that Mr. Cribb is very competent and is excited to take this work on. He feels that the best direction is to go with Mr. Cribb.

T. Diedrick asked if Mr. Cribb had staff or performed all the work himself.

C. Law stated that he does the work himself. If the work grew to more than Mr. Cribb thought he could handle alone, he would deal with that internally. Mr. Cribb also questioned why ICS was not doing the screenings themselves. ICS does not do the screenings themselves due to the politics and the potential perceived bias. Mr. Cribb was trying to give business back to ICS that they would be able to do on their own and not pay for those services.

D. Payne stated that ICS' contract with Langan has expired and they are currently on a month to month basis. M. Mason with Langan is aware that ICS is looking at other proposals. D. Payne and C. Law explained the increases that Langan would be charging, according to their proposal. The bid from Langan for \$90,000.00 is actually a revised bid that is lower than what they had first bid.

R. Strong stated that he could talk to the Police Chief to see if he is familiar with Mr. Cribb and if they'd be willing to give him the same access to information as Langan has. C. Law suggested ICS could also talk to the Police Department to find out if, with CCI, if they would be able to get the same level of information.

R. Aicher suggested giving Mr. Cribb about 25% of the business the first month and see how that goes and report back to the Authority. C. Law agreed that was a good idea.

NEW BUSINESS:

6. Discussion and possible action on summons for Foreclosure of Mortgage for a recipient of a BCHA loan for down payment and closing costs.

R. Hallet stated that in 2003, the BCHA provided a loan for a 2nd mortgage for \$4,400.00. The loan was a deferred payment loan with 0% interest to a homebuyer. This homebuyer is now facing foreclosure. Corporate Counsel did respond to the summons that the Authority received stating that if there was money received in excess of the first mortgage, that the BCHA would have a right to that money. We have done some research on this property so that the Authority could make a decision on whether or not they'd consider purchasing the property at the Sheriff's sale.

The Authority has determined that it would not take any action on this item. The \$4,400.00 would be recouped if there is money received in excess of the first mortgage as stated by Corporate Counsel.

BILLS:

F. Hallet provided the Authority with an updated copy of the bills that have been paid and new bills received in.

A motion was made by R. Aicher and seconded by T. Diedrick to authorize payment of the bills from the addendum totaling \$17,759.91 and also from the list of bills totaling \$608.08. Motion carried.

FINANCIAL REPORT:

The financial report was received and place on file.

STAFF REPORT:

R. Strong stated that the Senior Accountant will be starting on December 28, 2009. He was working with the Wisconsin Legislative Bureau on the auditing side. He is a Certified Public Accountant and is very detail oriented. He is from Green Bay and wanted to move back to Green Bay.

D. Hallet stated that she will not be at the January 18th meeting. R. Strong stated that he would be on vacation and would not be there either. After some discussion, the Authority decided to hold the regular meeting on January 11th to address the Freedom House issue and forego the other normal items on the agenda until February. R. Hallet stated that she would get back in touch with the Authority regarding if that date would work or if a new one needs to be chosen.

R. Hallet asked the Authority how they would feel about having the whole packet emailed to them to save postage costs. They would receive hard copies of the packets at the meeting. The Authority was fine with doing it that way.

A motion was made by R. Aicher and seconded by P. Kendle to adjourn the meeting at 4:36 p.m. Motion carried.

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